



CITY OF MORGAN HILL

17555 PEAK AVENUE, MORGAN HILL, CALIFORNIA 95037-4128 (408) 779-7247

Website Address: www.morgan-hill.ca.gov / Email: General@ch.morgan-hill.ca.gov

PLANNING COMMISSION

TUESDAY, JULY 24, 2001

CITY COUNCIL CHAMBERS

CIVIC CENTER

17555 PEAK AVENUE

MORGAN HILL, CA

COMMISSIONERS

CHAIR BARBARA SULLIVAN

VICE-CHAIR PATRICIA MCMAHON

COMMISSIONER GENO ACEVEDO

COMMISSIONER ROBERT J. BENICH

COMMISSIONER RALPH LYLE

COMMISSIONER JOSEPH MUELLER

COMMISSIONER CHARLES D. WESTON

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes.*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH GOVERNMENT
CODE SECTION 54954.2 - SECRETARY REPORT**
OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

MINUTES: July 10, 2001__

OLD BUSINESS:

1. **EXTENSION OF TIME FOR VARIANCE APPLICATION, VAR-99-03:
MONTEREY-VISION OF WRIGHT (OAK GLEN PLAZA):** Reconsideration of a request for a one-year extension of time on the approval of a variance from the minimum required rear yard setback for a proposed building addition to the existing Oak Glen Plaza commercial center. The project is located at the southwest corner of Wright Avenue and Monterey Road in the CG, General Commercial district. (APN 764-13-075)

Recommendation: Adopt Resolution No. 01-55 approving request.

2. **ZONING AMENDMENT, ZA-00-21/SUBDIVISION, SD-00-19\DEVELOPMENT
AGREEMENT, DA-00-13: NINA LANE-SHAW:** A request for approval of a tentative map, zoning amendment and development agreement for a 5-lot subdivision on a 2.5-acre parcel located on the west side of Nina Ln., north of Barrett Ave. and south of San Pedro Ave. in the R1-7000 RPD District. (APN 817-060-20)

Recommendation: Adopt Resolution Nos. 01-52 (zoning amendment), 01-53 (subdivision) and 01-54 (development agreement), with recommendation to forward requests to the City Council for approval.

3. **ZONING AMENDMENT, ZA-00-17/SUBDIVISION, SD-00-14/DEVELOPMENT
AGREEMENT, DA-00-09: LLAGAS-DELCO:** A request for approval of a 27 lot subdivision, precise development plan and development agreement for a single family housing project proposed on a 16.5 acre parcel located on the south side of Llagas Rd., approximately 400 ft. west of the Hale Ave. and Llagas Rd. intersection. The project is located in the R-1 7,000 zoning district. A Mitigated Negative Declaration is proposed for the project. (APN 764-32-005)

Recommendation: Adopt Resolution Nos. 01-42 (zoning amendment), 01-43 (subdivision) and 01-44 (development agreement), with recommendation to forward requests to the City Council for approval.

4. **ZONING AMENDMENT, ZA-00-18/SUBDIVISION, SD-00-15/DEVELOPMENT AGREEMENT, DA-00-10: HALE-DELCO/SHENG:** A request for approval of a 13 lot subdivision, precise development plan and development agreement for a single family attached housing project proposed on a 4.14 acre parcel located on the west side of Hale Ave., approximately 1,400 ft. south of the Hale Ave. and Llagas Rd. intersection. The project is located in the R-2 3,500 zoning district. A Mitigated Negative Declaration is proposed for the project. (APN 764-32-013)

Recommendation: Adopt Resolution Nos. 01-45 (zoning amendment), 01-46 (subdivision) and 01-47 (development agreement), with recommendation to forward requests to the City Council for approval.

5. **USE PERMIT, UP-75-17: WRIGHT-FIRST ASSEMBLY OF GOD:** Review of the conditional use permit for the First Assembly of God Church located at 145 Wright Ave. in the R-2 3,500 zoning district. The Planning Commission will be reviewing the conditions of approval for compliance and Church activities in response to a noise complaint. (APN 764-20-001 & 073)

Recommendation: Discussion.

6. **USE PERMIT AMENDMENT, UPA-99-11: LLAGAS-SHADOW MOUNTAIN BAPTIST CHURCH:** A request for approval of an amendment to the conditional use permit to allow for the operation of a Jr. K-8th grade (60 students) private school at the existing facility located on the south east corner of the intersection of Llagas Rd. and Hale Ave. in the R-1 7,000 zoning district. (APN 764-21-005)

Recommendation: Adopt Resolution No. 01-50 approving use permit amendment request.

7. **ZONING AMENDMENT, ZA-00-19, SUBDIVISION, SD-00-10, DEVELOPMENT AGREEMENT, DA-00-05: MALAGUERRA-MANCIAS:** A request for zoning amendment, subdivision, and development agreement approval for a 15-unit single family project located along the south side of Malaguerra Ave. in the R-1 (20,000)/RPD zoning district. (APN 728-35-016 & -017)

Recommendation: Continue zoning amendment, subdivision and development agreement applications to the August 14, 2001 Planning Commission meeting.

8. **SELECTION OF PLANNING COMMISSIONER TO SERVE ON THE HOUSING ELEMENT TASK FORCE:**

Recommendation: Designate a Commissioner to serve on the Housing Element Advisory Committee. Staff will forward the recommendation to the City Council for approval by the Mayor.

9. **POSSIBLE CANCELLATION OF AUGUST 28, 2001 PLANNING COMMISSION MEETING:**

Recommendation: Discussion

TENTATIVE UPCOMING AGENDA ITEMS FOR THE AUGUST 14, 2001 MEETING:

- **ZA-01-04: Monterey-Christensen**
- **ANX-01-02: Monterey-Christensen**
- **SD-01-04: McLaughlin-Jones**
- **DA-01-02 (SD-01-04): McLaughlin-Jones**
- **ZA-01-14: Monterey-West Coast Beauty Supply**
- **VAR-01-02: Monterey-Zamora**

ANNOUNCEMENTS

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 175 55 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

***NOTICE IS GIVEN** pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.